

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-20505 - APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER: OUTPAR, LLC

**** CONDITIONS ****

The Planning Commission (6-0-1/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-20495), and Site Development Plan Review (SDR-20503) if approved.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-20495) and Site Development Plan Review (SDR-20503) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
7. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

The project is a request for a Special Use Permit for an Retail Establishment with Accessory Package Liquor off-sale located on the west side of Jones Boulevard approximately 275 feet south of Cheyenne Avenue. The project will comply with the special use conditions in accordance with Title 19.04. Staff recommendation is for approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/04/87	The City Council approved the Reclassification of Property southwest of Cheyenne Avenue and Jones Boulevard from N-U (Non-Urban) to R-CL (Single Family Compact Lot), R-PD10 (Residential Planned Development), C-1 (Limited Commercial), for a proposed Single Family Residential, Townhouses, and Shopping Center uses. Planning Commission and staff recommended denial.
04/26/07	The Planning Commission recommended approval of companion items ZON-50495 and SDR-20503 concurrently with this application. The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #52/ja).
<i>Related Building Permits/Business Licenses</i>	
None	
<i>Pre-Application Meeting</i>	
02/12/07	A Pre-application meeting was held where Planning staff advised the applicant of the submittal requirements.
<i>Neighborhood Meeting</i>	
A Neighborhood meeting is not required for this type of application nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.13 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	U (SC): Undeveloped (Service Commercial – General Plan Designation)
North	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single-family residential	L (Low Density Residential)	C-1 (Limited Commercial)

East	Undeveloped	SC (Service Commercial)	R-1 (Single-family Residential)
West	Institutional – Community Service	M (Medium Density Residential)	U(M): Undeveloped (Medium Density Residential – General Plan Designation)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	Y
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular		Handi-capped
General Retail Store – Other (>3,500 sf)	14,028 square feet	1 space / 175 square feet gross floor area	80	4	85	4	Y
SubTotal			80		85		
TOTAL			80		85		Y
Loading Spaces			2		2		Y
Percent Deviation							

ANALYSIS

The proposed project to allow liquor retail sales at a proposed commercial (grocery store) establishment complies with the special use requirements for a Retail Establishment with Accessory Package Liquor Off-sale establishment. The square footage for the liquor sales display will be less than 10 percent of the floor area for the proposed grocery store.

The project will be located within 500 feet of the City boundary with Clark County. In accordance with Ordinance No. 5477, an Environmental Impact Assessment was prepared and is available for review at the Planning and Development Department offices.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed use can be operated to complement neighboring retail, community service, and residential uses.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The project site is vacant and is capable of accommodating the project.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

A public street adequately serves the project site via Jones Boulevard.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The proposed use can be implemented without detrimental effects to human health and public safety.

5. **The use meets all of the applicable conditions per Title 19.04.**

The project will meet all requirements of Title 19.04 for Retail Establishment with Accessory Package Liquor Off-sale Establishment.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 1

SENATE DISTRICT 3

NOTICES MAILED 455 by City Clerk

APPROVALS 0

PROTESTS 1